

(f) A Division 6.2 packaging to be reused must be disinfected prior to reuse by any means effective for neutralizing the infectious substance the packaging previously contained. A secondary packaging or outer packaging conforming to the requirements of §173.196 or §173.199 need not be disinfected prior to reuse if no leakage from the primary receptacle has occurred.

[Amdt. 173-224, 55 FR 52614, Dec. 21, 1990]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting §173.28, see the List of CFR Sections Affected which appears in the Finding Aids section of the printed volume and on GPO Access.

#### § 173.29 Empty packagings.

(a) General. Except as otherwise provided in this section, an empty packaging containing only the residue of a hazardous material shall be offered for transportation and transported in the same manner as when it previously contained a greater quantity of that hazardous material.

(b) Notwithstanding the requirements of paragraph (a) of this section, an empty packaging is not subject to any other requirements of this subchapter if it conforms to the following provisions:

(1) Any hazardous material shipping name and identification number markings, any hazard warning labels or placards, and any other markings indicating that the material is hazardous (e.g., RQ, INHALATION HAZARD) are removed, obliterated, or securely covered in transportation. This provision does not apply to transportation in a transport vehicle or a freight container if the packaging is not visible in transportation and the packaging is loaded by the shipper and unloaded by the shipper or consignee;

(2) The packaging—

(i) Is unused;

(ii) Is sufficiently cleaned of residue and purged of vapors to remove any potential hazard;

(iii) Is refilled with a material which is not hazardous to such an extent that any residue remaining in the packaging no longer poses a hazard; or

(iv) Contains only the residue of—

(A) An ORM-D material; or

(B) A Division 2.2 non-flammable gas, other than ammonia, anhydrous, and

with no subsidiary hazard, at an absolute pressure less than 280 kPa (40.6 psia); at 20 °C (68 °F); and

(3) Any material contained in the packaging does not meet the definitions in §171.8 of this subchapter for a hazardous substance, a hazardous waste, or a marine pollutant.

(c) Except for hazardous materials subject to §172.505, a non-bulk packaging containing only the residue of a hazardous material covered by table 2 of §172.504 of this subchapter—

(1) Does not have to be included in determining the applicability of the placarding requirements of subpart F of part 172 of this subchapter; and

(2) Is not subject to the shipping paper requirements of this subchapter when collected and transported by a contract or private carrier for reconditioning, remanufacture or reuse.

(d) Notwithstanding the stowage requirements in Column 10a of the §172.101 table for transportation by vessel, an empty drum or cylinder may be stowed on deck or under deck.

(e) Specific provisions for describing an empty packaging on a shipping paper appear in §172.203(e) of this subchapter.

(f) [Reserved]

(g) A package which contains a residue of an elevated temperature material may remain marked in the same manner as when it contained a greater quantity of the material even though it no longer meets the definition in §171.8 of this subchapter for an elevated temperature material.

[Amdt. 173-224, 55 FR 52614, Dec. 21, 1990, as amended by Amdt. 173-227, 56 FR 49989, Oct. 2, 1991; Amdt. 173-231, 57 FR 52939, Nov. 5, 1992; Amdt. 173-251, 61 FR 28676, June 5, 1996; Amdt. 173-260, 62 FR 1236, Jan. 8, 1997; 64 FR 10776, Mar. 5, 1999; 68 FR 48569, Aug. 14, 2003]

#### § 173.30 Loading and unloading of transport vehicles.

A person who loads or unloads hazardous materials into or from a transport vehicle or vessel shall comply with the applicable loading and unloading requirements of parts 174, 175, 176, and 177 of this subchapter.

[Amdt. 173-94, 41 FR 16064, Apr. 15, 1976]